

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII STATE TEACHERS
ASSOCIATION,

Complainant,

and

BOARD OF EDUCATION, Department of
Education, State of Hawaii; PATRICIA
HAMAMOTO, Superintendent, Department
of Education, State of Hawaii; and
SUSAN H. KITSU, Department of
Education, State of Hawaii,

Respondents.

CASE NO. CE-05-667

ORDER NO. 2668

ORDER GRANTING
COMPLAINANT'S MOTION TO
CONTINUE DEADLINE FOR
SUBMISSION OF POST-HEARING
BRIEFS

ORDER GRANTING COMPLAINANT'S MOTION TO
CONTINUE DEADLINE FOR SUBMISSION OF POST-HEARING BRIEFS

On December 3, 2009, Complainant filed a Motion to Continue Deadline for Submission of Post-Hearing Briefs with the Hawaii Labor Relations Board (Board) requesting a 30-day extension to file its post-hearing brief in this matter. Complainant's counsel states in an affidavit in support of the motion, inter alia, that the post-hearing brief is currently due on December 16, 2009; Complainant's counsel requests a 30-day extension to file its brief because of scheduling conflicts; the continuance of the brief will not prejudice the rights of any party; Respondents' counsel agreed to the previous continuance of the briefing deadline and indicated he was not at the time willing to agree to extend the deadline past December 16, 2009; that Complainant's counsel does not know if Respondents' counsel would agree to a further continuance at this time; and that Complainant has no objections to moving all deadline for the post-hearing brief by an equivalent period of 30 days for Respondents.

By letter dated December 3, 2009, Respondents' counsel opposed Complainant's motion stating that the State already agreed to one continuance and does not agree to further continuances and that the case is not complex as the Board's Order No. 2538 narrows the issues for the post-hearing briefs.

After reviewing the record in this case and considering the arguments of counsel, the Board hereby grants Complainant's motion for a continuance of the deadlines for submission of post-hearing briefs because of the counsel's scheduling conflicts as it does not appear that the motion is sought for purpose of delay and there is no prejudice to Respondents. The deadline for post-hearing briefs is **January 19, 2010**.

DATED: Honolulu, Hawaii, December 15, 2009.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SARAH R. HIRAKAMI, Member

Copies sent to:

Rebecca S. Covert, Esq.
Jeffrey A. Keating, Deputy Attorney General